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# Denver Journal OF INTERNATIONAL LAW AND POLICY

VOLUME 7 NUMBER 1

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## DEDICATION

DEAN ROBERT BERNARD YEGGE

..... *The Honorable Chesterfield Smith* 1  
..... *The Honorable James K. Groves*  
..... *The Honorable Richard D. Lamm*

## MYRES S. McDOUGAL DISTINGUISHED LECTURE

SOVIET TACTICS IN INTERNATIONAL LAWMAKING

..... *John N. Hazard* 9

This paper by an eminent Sovietologist examines contemporary Soviet thinking about international law, especially as it is applicable to relations between states having differing economic systems. Professor Hazard analyzes Soviet approaches to international "lawmaking" via a close reading of leading Soviet jurists and recent Soviet practice particularly in the UN. He concludes that, while the Soviets now in some cases accept General Assembly resolutions as making international law, they will be "unwilling to accept a tactic of international lawmaking beyond their control or the control of those in whom they have confidence."

## ARTICLES

NEGOTIATING FOR DISPUTE SETTLEMENT IN TRANSNATIONAL  
MINERAL CONTRACTS

..... *Thomas W. Wälde* 33

Using his experience gained with the UN Centre on Transnational Corporations, Thomas Wälde analyses some of the structural and functional problems of investment contract dispute settlement provisions between transnational enterprises and host countries, which are typically less developed. He surveys the various criteria which affect the choice of international arbitration, ad hoc arbitration, institutional arbitration, or expert panels as dispute settlement mechanisms. In this context he discusses prevalent substantive and procedural issues common to such contracts and the adequacy of these mechanisms for conflict resolution.

SELECTED LEGAL ISSUES IN THE WORLD POPULATION/FOOD  
EQUATION

..... *Ved P. Nanda* 77

Professor Nanda offers several recommendations for decisionmakers regarding legal problems of population and food policy. He begins by highlighting the UN World Population Plan of Action implementation efforts. Nanda foresees a growing imbalance in the population/food equation; he appraises the adequacy of international law and institutions to deal with emerging problems of ecosystem management and makes specific proposals for improvement.

## NOTE

### THE ANTITRUST LEGALITY OF TERRITORIAL ALLOCATIONS BETWEEN A U.S. PARENT CORPORATION AND LESS DEVELOPED COUNTRY ENTERPRISES

..... *David K. Pansius* 103

This article examines existing case authority concerning the antitrust rules applicable to territorial market allocations in international commerce. The author suggests that the per se rules customarily applied in the domestic setting may be inappropriate in the international commerce context. Pansius extrapolates from the liberalized franchising rules of *Continental TV* to a hypothetical involving a U.S. parent corporation and LDC subsidiaries. He concludes that, absent an “international commerce” exception to the per se rules, a narrower franchising exception may be applicable to investment in LDCs.

## BOOK NOTES

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